

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Senator RICHARD BLUMENTHAL, *et al.*,

Plaintiffs,

v.

MATTHEW G. WHITAKER, in his
official capacity, *et al.*,

Defendants.

No. 1:18-cv-02664

**DEFENDANTS' CONSENT MOTION FOR
EXTENSION OF TIME IN LIGHT OF INTERVENING EVENT**

Defendants respectfully move for an extension of three (3) business days to answer or otherwise respond to the Complaint in the above-captioned case. Plaintiffs consent to this extension request. In support of this motion, Defendants state as follows:

1. Plaintiffs are three Senators who brought this suit alleging that the President's designation of Mr. Whitaker as Acting Attorney General violated the Appointments Clause of the Constitution, U.S. Const. art. II, § 2, cl. 2. Defendants' answer or other response to the Complaint is currently due on February 14, 2019.

2. On February 14, 2019, William P. Barr was confirmed by the Senate as the 85th Attorney General of the United States. In light of this event, Plaintiffs' counsel contacted undersigned counsel to indicate that their clients intend to voluntarily dismiss this suit and will file their notice of voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A) soon. The parties

discussed an extension of three (3) business days—until February 20, 2019—in order to allow Plaintiffs to complete such filing.

3. Accordingly, Defendants respectfully request that the Court extend their deadline to answer or otherwise respond to the Complaint by three (3) business days to February 20, 2019.

Dated: February 14, 2019

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

BRETT A. SHUMATE
Deputy Assistant Attorney General

JENNIFER D. RICKETTS
Director, Federal Programs Branch

CHRISTOPHER R. HALL
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/s/ Jean Lin
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CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2019, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Jean Lin
JEAN LIN

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[PROPOSED] ORDER

Upon consideration of Defendants' Consent Motion for Extension of Time in Light of Intervening Event, and for good cause shown, it is hereby ORDERED that

The Motion is GRANTED; and it is further ORDERED

That Defendants have until February 20, 2019 to answer or otherwise respond to the Complaint.

SO ORDERED.

DATED:

HON. RANDOLPH D. MOSS
United States District Judge